

Further misbranding, Section 502 (a), the labeling of the tablets, namely, the label designated "Red Sanger Number 5" intended for use in repackaging the red-coated tablets and the label designated "Green Corbin No. 10" intended for use in repackaging the green-coated tablets, contained statements which represented and suggested that the tablets (red-coated and green-coated tablets) were efficacious in the relief of pain not due to organic disease ordinarily associated with the menstrual period. Such statements were false and misleading since the tablets were not efficacious in the relief of pain not due to organic disease ordinarily associated with the menstrual period. The tablets were misbranded in such respect while held for sale after shipment in interstate commerce.

DISPOSITION: May 20, 1954. Default decree of condemnation and destruction.

**4414. Misbranding of Devine's Zina-Ray oil and Devine's inhaler. U. S. v. 432 Bottles, etc. (F. D. C. No. 36472. Sample Nos. 61106-L, 61107-L.)**

**LABEL FILED:** On or about April 1, 1954, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about December 23, 1953, and February 5, 1954, from Chicago, Ill.

**PRODUCT:** 720 1-ounce bottles and 4 cartons, each carton containing 12 dozen 3-ounce bottles, of *Devine's Zina-Ray oil*, and 40 boxes, each containing 200 *Devine's inhalers*, at Kansas City, Mo., in possession of Susan Buckhinder.

**RESULTS OF INVESTIGATION:** The articles were promoted for sale through demonstrations given by Mrs. Buckhinder, a representative of Devine's Remedies, Inc., Chicago, Ill. During the course of these demonstrations, Mrs. Buckhinder would recommend the articles for use in the treatment and prevention of various diseases and conditions.

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use in the treatment of sinus, migraine headaches, arthritis, neuritis, lumbago, and asthma, and for preventing tonsillitis, laryngitis, bronchitis, and pneumonia, which were the conditions and purposes for which the articles were intended. The articles were misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: May 24, 1954. Default decree of forfeiture and destruction.

#### **DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS**

**4415. Adulteration and misbranding of liver injection. U. S. v. Bio-Ramo Drug Co., Inc., and Dr. Clifford W. Price. Pleas of not guilty. Tried to the court. Verdict of guilty against corporation; motion granted for dismissal of charge against individual. Fine of \$750, plus costs, against corporation. (F. D. C. No. 35557. Sample No. 26462-L.)**

**INFORMATION FILED:** January 6, 1954, District of Maryland, against Bio-Ramo Drug Co., Inc., Baltimore, Md., and Dr. Clifford W. Price, technical director of the corporation.

**ALLEGED SHIPMENT:** On or about February 26, 1953, from the State of Maryland into the State of New Jersey.

**NATURE OF CHARGE:** Adulteration, Section 501 (b), the article purported to be and was represented as "Liver Injection Crude," a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and its strength differed from the official standard since each cubic centimeter of the